IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 962 OF 2005

IN

SUIT NO. 224 OF 1993

1(a) M/s. ARK LABORATORIES & Anr. ..Plaintiffs

Versus

3(a) SHRI UPENDRA KESHAVLAL MAJITHIA

& Anr. ..Defendants

Mr. D.V.Purandare i/b. B.N.Dalal for the Applicant.

Mr. Sandeep Parekh i/b. S.G.Lakhani for Defendant No.3(a).

CORAM: S.K.SHAH,J.

DATE : 25th August,2005.

P.C.

1. This Chamber Summons is taken out by the Plaintiffs seeking an appointment of the Commissioner for recording of evidence. The learned Counsel on the other side agreed upon the name of Mr. Ashish Kamath, a practising Advocate, High Court.

2. Mr. Ashish Kamath, Advocate, practising in this Court, is hereby appointed Commissioner for recording

of evidence in this suit and submit his report within four weeks.

3. The Plaintiffs to bear the costs of the Commission.

3. The additional affidavit filed by Mr. Atul Kothare dated 6.8.2005 filed in support of the Chamber Summons is allowed to be withdrawn by the Plaintiffs' Counsel.

Chamber Summons stands disposed of.

(S.K.SHAH,J.)